Brian C. Rocca, S.B. #221576
brian.rocca@morganlewis.com
Sujal J. Shah, S.B. #215230
sujal.shah@morganlewis.com
Michelle Park Chiu, S.B. #248421
michelle.chiu@morganlewis.com
Minna Lo Naranjo, S.B. #259005
minna.naranjo@morganlewis.com
Rishi P. Satia, S.B. #301958
rishi.satia@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105
Telephone: (415) 442-1000

Richard S. Taffet, *pro hac vice*
richard.taffet@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178
Telephone: (212) 309-6000

Counsel for Defendants Google LLC et al

Glenn D. Pomerantz, S.B. #112503
glenn.pomerantz@mto.com
Kuruvilla Olasa, S.B. #281509
kuruvilla.olasa@mto.com
Nicholas R. Sidney, S.B. #308080
nick.sidney@mto.com
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue, Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 683-9100

Kyle W. Mach, S.B. #282090
kyle.mach@mto.com
Justin P. Raphael, S.B. #292380
justin.raphael@mto.com
Emily C. Curran-Huberty, S.B. #293065
emily.curran-huberty@mto.com
Dane P. Shikman, S.B. #313656
MUNGER, TOLLES & OLSON LLP
560 Mission Street, Twenty Seventh Floor
San Francisco, California 94105
Telephone: (415) 512-4000

Jonathan I. Kravis, *pro hac vice*
jonathan.kravis@mto.com
MUNGER, TOLLES & OLSON LLP
601 Massachusetts Ave. NW, Suite 500E
Washington, D.C. 20001
Telephone: (202) 220-1100

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA,

SAN FRANCISCO DIVISION

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION	Case No. 3:21-md-02981-JD
This Document Relates To:	**DECLARATION OF DUY HO IN SUPPORT OF GOOGLE'S SUPPLEMENTAL BRIEF IN RESPONSE TO THE COURT'S FEBRUARY 27, 2023 MINUTE ORDER**
Epic Games, Inc. v. Google LLC et al., Case No. 3:20-cv-05671-JD	
In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD	Judge: Hon. James Donato
State of Utah et al. v. Google LLC et al., Case No. 3:21-cv-05227-JD	
Match Group, LLC et al. v. Google LLC et al., Case No. 3:22-cv-02746-JD	

DECLARATION OF DUY HO

I, Duy Ho, declare as follows:

1.   I am a Project Manager on the Legal Discovery team at Google. I make this declaration based on personal knowledge. If called as a witness, I could testify competently to the facts stated herein.

2.   My job-specific responsibilities include managing the technical aspects of discovery in connection with litigation matters. In connection with this matter, I have managed vendor operation of the document review database, overseen processes for producing large datasets, and assisted with analysis of review and production metrics.

Total Number of Chats Produced

3.   In connection with this declaration and with assistance from others at Google, I analyzed Google's collection and production of chats that post-date the filing of Epic's complaint on August 13, 2020 ("post-Complaint chats"). This analysis includes post-Complaint chats produced by Google in the normal course of discovery (the "discovery production") and in connection with Google's supplemental production of chats in February 2023 (the "supplemental production").

4.   As part of my job duties, I am familiar with how Google Chat messages are produced by Google in litigation. In particular, I am aware that Google uses the term "chat" to refer to a document containing multiple chat messages in a thread linked by temporal parameters, such that one "chat" produced by Google can contain numerous individual messages that span many pages over a period of time. The numbers in this declaration refer to the total number of "chat" documents produced by Google rather than the number of individual messages within each chat in the production.

5.   In the discovery production, Google produced 502 post-Complaint chats from 21 post-Complaint custodians. Google also produced 260 attachments to these chats, resulting in a total production of 762 documents.

6.   For the supplemental production, Google collected 749,318 chats and 394,869

1   attachments from all 383 legal hold recipients, totaling 1,144,187 documents. Google then

2   produced 52,271 chats and 161,709 attachments, totaling 213,980 documents.

3   7.   I have analyzed how many documents within the supplemental production hit on

4   the search strings negotiated by the parties related to substantive issues in the litigation. Based on

5   that analysis, I conclude that 47,513 chats and 10,690 attachments hit on at least one of these

6   search strings.

<div align="center"><u>Chats and Documents Produced on Six Issues</u></div>

8   8.   I have also analyzed Google's production to determine the number of chats and

9   other documents that Google has produced related to six particular issues. For this analysis, I ran

10 search terms provided by Google's counsel against documents in Google's discovery production

11 and supplemental production.

12   9.   I have prepared a separate table, attached as **Exhibit A**, showing the total number

13 of documents produced that hit on certain search terms for each of the six issues (Column 1).

14 Column 2 of **Exhibit A** shows the number of <u>post-Complaint supplemental production chats</u> or

15 chat attachments that hit on searches for each issue, as well as all six searches combined (all

16 before pulling in families). Column 3 of **Exhibit A** shows the number of <u>post-Complaint</u>

17 <u>discovery production chats</u> that hit on the search string for each identified issue, as well as for all

18 six issues combined (all before pulling in families) for the 21 post-Complaint custodians.

19 Column 4 of **Exhibit A** shows the total number of <u>post-Complaint discovery production</u>

20 <u>documents</u> (including chats and attachments, as well as other documents like emails and slide

21 decks) that hit on the search string for each identified issue, as well as for all six issues combined

22 (all before pulling in families). Column 5 of **Exhibit A** shows the total number of <u>discovery</u>

23 <u>production documents</u> (both pre- and post-Complaint, including chats and attachments, as well as

24 other documents like emails and slide decks) that hit on the search string for each identified

25 issue, as well as on all six issues combined (all before pulling in families).

26   10.   I also prepared a separate table, attached as **Exhibit B**, that lists the search terms

27 used for each issue.

28

1   I declare under penalty of perjury under the laws of the United States that the foregoing is

2 true and correct.

3   Executed on this 14th day of March, 2023, in California.

4
              DocuSigned by:

5   _Duy Ho_
          6E9ED0910AF2455...
        Duy Ho

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DECLARATION OF DUY HO ISO GOOGLE'S SUPP. BRIEF IN RESPONSE TO
THE COURT'S FEB. 27, 2023 MINUTE ORDER
Case Nos. 3:21-md-02981-JD; 3:20-cv-05671-JD; 3:20-cv-05761-JD; 3:21-cv-05227-JD; 3:22-cv-02746-JD

EXHIBIT A

Exhibit A – Declaration of Duy Ho

Issue	Supplemental Production Number of chats or attachments from the 383 legal hold recipients that hit on issue search terms (not including families)	Discovery Production		
		Number of chats or attachments from the 21 post-Complaint custodians previously produced that hit on issue search terms (not including families)	Number of post-Complaint documents previously produced that hit on issue search terms (not including families)	Number of total documents previously produced that hit on issue search terms (not including families)
Hug	1,710	130	7,130	37,417
RSA 3.0	504	0	1,196	52,992
Magical Bridge	10	10	328	1,475
Basecamp	30	3	663	2,763
Runway	393	32	4,886	11,015
Everest	1,086	14	4,518	10,156
All 6 issues	3,469	176	16,132	110,904

EXHIBIT B

Exhibit B – Declaration of Duy Ho

Issue	Search term
Hug	Hug OR AVP OR GVP OR "games velocity" OR "apps velocity"
RSA 3.0	("premier tier" OR "RSA 3.0" OR "RSA3" OR agreement*) w/30 (OEM* OR "Original Equipment Manufacturer" OR "Original Equipment Manufacturers" OR OnePlus OR "ZTE" OR "LG" OR Nokia OR HTC OR Huawei OR Sony OR Samsung OR Galaxy OR Lenovo OR Acer OR Oppo OR Vivo OR Xiaomi OR Asus OR Microsoft OR Motorola OR installer OR carrier* OR "AT&T" OR Verizon OR "T-Mobile" OR Sprint OR Telefonica)
Magical Bridge	"Magical Bridge" OR "Project MB"
Runway	Runway
Basecamp	Basecamp
Everest	(((Korea* OR "KR") w/5 (law OR legis*)) AND "Play" AND (("alternative" w/5 "billing") OR "service fee")) OR ("Everest") OR (("Media" w/3 experience) w/10 (low* OR decreas* OR chang* OR drop* OR reduc* OR simplify OR simple)) OR ("Media Experience Program" OR "MEP") OR ("UCB" OR "user choice billing") OR (("Spotify" OR "pilot") AND (("alternative" OR "choice") w/5 "billing"))